

107th CONGRESS

1st Session

S. 836

To amend part C of title XI of the Social Security Act to provide for coordination of implementation of administrative simplification standards for health care information.

IN THE SENATE OF THE UNITED STATES

May 7, 2001

Mr. CRAIG (for himself, Mr. DORGAN, and Mr. CRAPO) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend part C of title XI of the Social Security Act to provide for coordination of implementation of administrative simplification standards for health care information.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COORDINATION OF IMPLEMENTATION OF ADMINISTRATIVE SIMPLIFICATION STANDARDS FOR HEALTH CARE INFORMATION.

(a) IN GENERAL- Section 1175(b)(1) of the Social Security Act (42 U.S.C. 1320d-4(b)(1)) is amended to read as follows:

“(1) IN GENERAL- Each person to whom an initial standard or implementation specification is adopted or established under sections 1172 and 1173 applies shall comply with the standard or specification by the later of--

“(A) 24 months after the date on which the Secretary determines that--

`(i) regulations with respect to all of the standards and specifications required by such sections (other than standards for unique health identifiers for individuals under section 1173(b)(1)) have been adopted in final form;

`(ii) regulations implementing section 1176 have been issued in final form; and

`(iii) reliable national unique health identifiers for health plans and health care providers are ready and available; or

`(B) October 16, 2004.'.

(b) RULE OF CONSTRUCTION- For purposes of section 1175(b)(1) of the Social Security Act (42 U.S.C.

1320d-4(b)(1)), as amended by subsection (a)--

(1) the requirements of such section (relating to issuance of a regulation `in final form') shall be considered to be met with respect to a standard, specification, or section if a regulation implementing such standard, specification, or section is issued and becomes effective in accordance with section 553 of title 5, United States Code;

(2) nothing in such section 1175(b)(1) shall be construed as requiring the Secretary of Health and Human Services to take into account subsequent modifications made to such regulation pursuant to section 1174(b) of the Social Security Act (42 U.S.C. 1 320d-3(b)) in making the determination that a regulation has been issued `in final form' with respect to a standard, specification, or section; and

(3) nothing in such section 1175(b)(1) shall be construed as limiting or affecting the authority of the Secretary of Health and Human Services to issue or implement the final regulations establishing standards for privacy of individually identifiable health information published in the Federal Register by the Secretary on December 28, 2000 (65 Fed. Reg. 82462), including the requirements of section 164.530 of title 45 of the Code of Federal Regulations.

(c) STUDY OF COMPLIANCE WITH HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT

OF 1996-

(1) IN GENERAL- The Comptroller General of the United States shall conduct a study to examine the effect of the enactment of section 262 of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191; 110 Stat. 2021), and regulations issued thereunder, on health plans, health care providers, the medicare and medicaid programs, and the Department of Health and Human Services, including the progress of such entities or programs in complying with the amendments made by such section.

(2) REPORT- Not later than October 31, 2003, the Comptroller General shall submit to the appropriate committees of Congress a report on the study conducted under paragraph (1).

(d) EFFECTIVE DATE- The amendment made by subsection (a) shall take effect as if included in the enactment of section 262 of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191; 110 Stat. 2021).

END